

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In Re:

Chapter 7 Proceeding

**DANNIE C. SIMMONS, JR., and
CATHLEEN M. SIMMONS**

Case No. 15-18808
Honorable Pamela S. Hollis
Hearing Date: September 3, 2015
Hearing Time: 10:00 a.m.

Debtors.

NOTICE OF ROUTINE MOTION

PLEASE TAKE NOTICE that on **Thursday, September 3, 2015**, at the hour of **10:00 a.m.**, I shall appear before the Honorable Pamela S. Hollis, Bankruptcy Judge, in Room 680, United States Courthouse, 219 S. Dearborn St., Chicago, Illinois 60604 or any other Judge sitting in her stead, and shall then and there present **MOTION OF HELENE PRINCIPATO FOR AN EXTENSION OF TIME TO FILE A COMPLAINT OBJECTING TO THE DISCHARGEABILITY OF HER DEBT**, a copy of which is attached and is hereby served upon you.

By: /s/ Richard H. Fimoff
One of her attorneys

Richard H. Fimoff (804886)
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CERTIFICATE OF SERVICE

I, Richard H. Fimoff, an attorney, state that pursuant to Local Rule 9013-1(D) the above **NOTICE OF MOTION** and the appended **MOTION FOR AN EXTENSION OF TIME TO FILE A COMPLAINT OBJECTING TO DISCHARGEABILITY OF DEBT** were filed on August_, 2015, and served on all persons identified as Registrants on the service list below through the Court's Electronic Notice for Registrants on August 25, 2015.

/s/ Richard H. Fimoff

SERVICE LIST

Registrants Served Through the Court's Electronic Notice for Registrants

- David R Herzog drhlaw@mindspring.com,
herzogschwartz@gmail.com;il59@ecfbis.com;drh@trustesolutions.net
- Patrick S Layng USTPRegion11.ES.ECF@usdoj.gov
- Thomas W Lynch twlpc@worldnet.att.net, lsarathylaw@gmail.com

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**MOTION FOR AN EXTENSION OF TIME TO FILE A COMPLAINT
OBJECTING TO THE DISCHARGEABILITY OF DEBT**

NOW COMES HELENE PRINCIPATA, a creditor herein ("Principato"), by her attorney, Richard H. Fimoff, and hereby requests this Court to grant her an extension of time to file a complaint objecting to the dischargeability of the debt due her by Debtor, DANNIE C. SIMMONS, JR. (the "Debtor") pursuant to 11 U.S.C. § 523, and in support of this request states as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction to consider this Motion pursuant to 28 U.S.C. § 1334.
2. Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.
3. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).
4. The statutory predicate for relief requested herein is Section 523 of the Bankruptcy Code.
5. This Motion is a "routine motion" pursuant to Local Rule 9013-9(A)(5).
6. The relief requested is being timely and properly presented to this Court pursuant to the Federal Rules of Bankruptcy Procedure (the "Rule") 9006(b)(1).

BACKGROUND

7. On September 19, 2014 (the "Petition Date"), Debtor and Cathleen M. Simmons filed their joint voluntary bankruptcy petition commencing this case under Chapter 7 of the Bankruptcy Code.

8. Prior to the petition date, Debtor became indebted to Principato for damages incurred in rectifying the substandard, faulty and defective work performed by Simmons.

9. The last date for parties to file a complaint objecting to the dischargeability of debt is September 11, 2015 [Dkt. No. 4].

RELIEF REQUESTED

10. Principato has a number of questions regarding the Debtor's business, income, expenses, and debts. Concurrent with this Motion, Principato is filing a Routine Motion for Rule 2004 Exam of the Debtor.

11. Based on the above, Principato requests additional time to request and review additional documents and to investigate whether there may be a basis to file a complaint objecting to the dischargeability of her debt pursuant to 11 U.S.C. § 523.

Wherefore, HELENE PRINCIPATO respectfully asks the Court to extend the deadline for her to file a complaint objecting to the dischargeability of her debt under § 523 of the Bankruptcy Code and including November 30, 2015, and for such other relief as this Court deems just.

RESPECTFULLY SUBMITTED:
HELENE PRINCIPATO

DATED: August 25, 2015

By: /s/ Richard H. Fimoff
One of her attorneys

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